



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
Address: COMMISSIONER FOR PATENTS
P.O. Box 1450
Alexandria, Virginia 22313-1450
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/729,181	12/04/2003	Sung Tao Ho	1121035	8584

7590

09/06/2005

PRO-TECHTOR INTERNATIONAL
20775 Norada Court
Saratoga, CA 95070-3018

EXAMINER

LEE, GUIYOUNG

ART UNIT	PAPER NUMBER
----------	--------------

2875

DATE MAILED: 09/06/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

10/729,181

Applicant(s)

HO, SUNG TAO

Examiner

Guiyoung Lee

Art Unit

2875

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☐ Responsive to communication(s) filed on ____.
- 2a) ☐ This action is FINAL. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-12 is/are pending in the application.
- 4a) Of the above claim(s) ____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) ____ is/are allowed.
- 6) ☒ Claim(s) 1-12 is/are rejected.
- 7) ☐ Claim(s) ____ is/are objected to.
- 8) ☐ Claim(s) ____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on ____ is/are: a) ☐ accepted or b) ☒ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152..

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
 - ☐ Certified copies of the priority documents have been received in Application No. ____.
 - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- ☒ Notice of References Cited (PTO-892)
- ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date ____.
- ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date ____.
- ☐ Notice of Informal Patent Application (PTO-152)
- ☐ Other: ____.

DETAILED ACTION

Drawings

1. The drawings are objected to under 37 CFR 1.83(a). The drawings must show every feature of the invention specified in the claims. Therefore, the spirally arranged protruding portions in claim 4 must be shown or the feature(s) canceled from the claim(s). No new matter should be entered.

Corrected drawing sheets in compliance with 37 CFR 1.121(d) are required in reply to the Office action to avoid abandonment of the application. Any amended replacement drawing sheet should include all of the figures appearing on the immediate prior version of the sheet, even if only one figure is being amended. The figure or figure number of an amended drawing should not be labeled as “amended.” If a drawing figure is to be canceled, the appropriate figure must be removed from the replacement sheet, and where necessary, the remaining figures must be renumbered and appropriate changes made to the brief description of the several views of the drawings for consistency. Additional replacement sheets may be necessary to show the renumbering of the remaining figures. Each drawing sheet submitted after the filing date of an application must be labeled in the top margin as either “Replacement Sheet” or “New Sheet” pursuant to 37 CFR 1.121(d). If the changes are not accepted by the examiner, the applicant will be notified and informed of any required corrective action in the next Office action. The objection to the drawings will not be held in abeyance.

Claim Rejections - 35 USC § 102

2. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

3. Claims 1-3 and 5-7 are rejected under 35 U.S.C. 102(b) as being anticipated by Woo (US 5,950,340).

4. Re claims 1-2, 6-7 : Woo discloses a LED lamp tube comprising, a light-guide shade, said light-guide shade (1 in Fig. 2) comprising a light guide layer, two mounting portions (3) extended from two opposite sides of said light guide layer for mounting, and a plurality of protruding portions (11) arranged inside said light guide layer, said protruding portions each defining a light guiding groove; a light source (23), said light source comprising a circuit board (22) mounted inside said light-guide shade, and a plurality of light emitting diodes (23) mounted in said circuit board and adapted to emit different color light onto the light guiding grooves of said protruding portions, and

Re claims 3 and 5: Woo discloses the serrated protruding portions having linear coupling grooves (12 in Fig. 6).

Claim Rejections - 35 USC § 103

5. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

Art Unit: 2875

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

6. Claim 4 is rejected under 35 U.S.C. 103(a) as being unpatentable over Woo as applied to claim 1 above, and further in view of Hulse et al. (US 6,874,924 B1).

7. Re claim 4: Woo does not disclose spirally arranged protruding portions. However, Hulse teaches that the light guide shade has a substantially spiral cross-section and Hulse teaches that light is scattered and emitted through the inner circumferential surface of the light guide shade (col. 6, lines 55+). It would have been obvious to one having ordinary skill in the art at the time the invention was made to substitute Woo's protruding portions with spirally arranged pattern of the protruding portion as Hulse taught because the spirally arranged pattern is one of the variation of Woo's protruding portions and selecting the spirally arranged pattern of the protruding pattern in order to provide homogeneous and uniform illumination would be within the level of ordinary skill in the art.

8. Claims 8-12 are rejected under 35 U.S.C. 103(a) as being unpatentable over Woo as applied to claim 1 above, and further in view of Wynne Willson (US 6,676,284 B1).

Re claims 8-10: Woo is silent with regard to a layer of photo mask coated on an outside wall of the light-guide shade. However, Wynne Willson teaches a linear LED lamp tube having a light guide shade and a layer of photo mask (17 in Fig. 9) coated on an outside wall of the light guide shade. It would have been obvious to one having ordinary skill in the art at the time the invention was made to employ Wynne Willson's photo mask onto Woo's light guide shade in order to

Art Unit: 2875

provide uniform light illumination. Further, Wynne Willson discloses a reflector could be used (col. 13, lines 14-16).

Re claims 11-12: Although Woo discloses a control circuit for the LED lamp tube, he is silent with regard to an external controller. However, Wynne Willson teaches a CPU as an external controller in order to control the lighting pattern of the light emitting diodes (Fig. 4 and col. 11, lines 53-60 and col. 3, lines 18-21). It would have been obvious to one having ordinary skill in the art at the time of the invention to employ Wynne Willson's external controller into Woo's LED lamp tube because the external controller provide many other functions such as timing control, multiple color and brightness control, and programming.

Conclusion


Any inquiry concerning this communication or earlier communications from the examiner should be directed to Guiyoung Lee whose telephone number is 571-272-2374. The examiner can normally be reached on M-F.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Sandra O'Shea can be reached on 571-272-2378. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Art Unit: 2875

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

LGY



Sandra O'Shea
Supervisory Patent Examiner
Technology Center 2800